

JP:SD

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-10-1091

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UNITED STATES OF AMERICA

- against -

C O M P L A I N T
(21 U.S.C. §§ 952(a)
and 960)

BYRON MORENO RUALES,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

CARLOS SOTO, being duly sworn, deposes and states that he is a Special Agent with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

Upon information and belief, on or about September 18, 2010, within the Eastern District of New York and elsewhere, defendant BYRON MORENO RUALES, did knowingly, intentionally and unlawfully import into the United States from a place outside thereof heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant

1. At approximately 11:50 pm, on September 20, 2010, defendant BYRON MORENO RUALES arrived at John F. Kennedy International Airport in Queens, New York, aboard Aerogal Airlines Flight No. 700 from Guyacil, Ecuador.

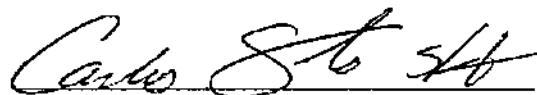
2. During a Customs and Border examination, a Customs and Border Protection Inspector asked the defendant routine customs questions. During the questioning, the defendant became visibly nervous.

3. During the pat down of the defendant, a Customs and Border Protection officer felt hard objects on the defendant's stomach, back and both of his legs. A partial strip search was conducted and revealed several clear plastic bags containing a brown powdery substance. A CBP officer recovered 10 packages in total which tested positive for heroin.

4. The package weighed approximately 6,205.5 grams and tested positive for heroin.

facts and circumstances of which I am aware.

WHEREFORE, your deponent respectfully requests that
defendant BYRON MORENO RUALES be dealt with according to law.



Carlos Soto
Special Agent
Immigration and Customs
Enforcement

Sworn to before me this
20th day of September 2010

HONORABLE Steven M. Gold
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK